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Nontidal Wetlands and Waterways Division
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Jane T. Nishida
Secretary



MEETING MINUTES

Meeting Date: February 4, 2000

Location: U.S. Fish & Wildlife Service
 177 Admiral Cochrane Drive
 Annapolis, MD

Workgroup members in attendance	Workgroup members not in attendance	MDE Staff, Speakers, Visitors
Mike Fritz (Environmental Protection Agency) Louise Lawrence (MD Department of Agriculture) Pete Alexander (MD Forest Assoc.) Tom Benassi (Baltimore Gas & Electric) Greg Harper (Jenn Aiosa (Chesapeake Bay Foundation) Anne Lynn (Natural Resources Conservation Service) Catherine Rappe (MD Department of Natural Resources) Ren Serey (Critical Area Commission) Lee Anne Chandler (Critical Area Commission) Bob Kaufman (MD Builders Association) Ed Temple (Ducks Unlimited) Lynn Stemmy (MTR SWQAC) Bob DeGroot (MCC) Larry Liebesman (MD Builders Association) Leon Donaldson (Morgan State University) Mildred Kriemelmeyer (MD Conservation Council) Steven Pugh (U.S. Army Corps of Engineers, Baltimore) Kevin Kelly (Environmental Systems Analysis, Inc.) Diana Reynolds (MD Department of Agriculture) Steve Bunker (Nature Conservancy) Scott Raymond (Living Classrooms Foundation) Regina Poeske (Environmental Protection Agency)	Bob Agee (MD Aggregate Assoc.) Mark Colosimo (U.S. Army Corps of Engineers) Danielle Lucid (MD Department of Natural Resources) Keith Bowers (BioHabitats) Lynne Hoot (MD Association of Soil Conservation Districts)	Denise Clearwater (MDE) Julie LaBranche (MDE) Michael McCoy (MDE) Rick Ayella (MDE) Christi Noble (MDE) William Giese (MD Association of Soil Conservation Districts) Chris Rockel Houchens (Living Classrooms) Erin Fitzsimmons (Wetlands Steering Committee)

I. Introduction and Opening Remarks

The meeting was opened at 9:15 am. Linda Harper, Workgroup facilitator, introduced Workgroup members and visitors and reviewed the meeting agenda.

II. State Wetland Conservation Plan (SWCP) Presentations by MDE

Denise Clearwater (MDE) gave a presentation reviewing the basic components of the SWCP including: importance of wetlands to MD; what is an SWCP; why MD needs an SWCP; how will the SWCP work. Note: voluntary restoration recommendations will continue to be done primarily by the Governor's Wetland Restoration Steering Committee and will be incorporated in the SWCP. An update will be prepared by the next meeting.

Linda addressed questions from Workgroup members including:

- Request for review of additional state plans for Ohio, Florida, Mississippi and Virginia to determine what types of issues were covered and what formats were used in the reports *(staff to complete for next meeting)*
- Issue of whether habitat and ecology will be included in the plan *(can be included)*
- Who will implement the plan? *(Various entities will be designated.)*
- Will the plan require approval by the Governor or by an executive order to be carried out? *(will be submitted for approval)*
- Will MDE complete a self-analysis of its regulatory programs? *(Yes)*
- Will the plan include a strategy to meet the State's 'no net loss' goal? *(Yes)*
- Will the plan address land-use, conservation/preservation and smart-growth issues? *(Yes)*

Denise Clearwater (MDE) gave a presentation reviewing Maryland's wetlands including: definition of wetlands; wetland hydrology; wetland volume by county and watershed; overview of wetlands in the 5 physiographic provinces; problem of difference sources reporting different wetland acreage; and wetland issues including outcomes, decision making, regional approach and regulatory and non-regulatory issues. *Copies of the presentation slides are attached.*

Linda noted that the Workgroup would accept the estimate of the State's total wetland acreage, from *Wetlands of Maryland* (Tiner and Burke, 1995), as an initial figure which, however, is nearly 20 years old. This estimated figure could be revised as new data is acquired. The most recent estimate states that there are 600,000 acres of vegetated wetlands in Maryland. Wetland mapping, for certain parts of the state, is available on digital orthophoto quarter quad maps at a scale of 1 inch = 600 feet. The Department of Natural Resources is producing these maps. *Denise will check on the current status of the mapping effort and report to the Workgroup at the next meeting.*

BREAK

III. Identification of Plan Topics and Work Group Roles

Linda directed discussion about the potential timeframe for completion of the SWCP. Maryland hopes to complete the process in one (1) year and issue a report by the end of 2000.

Linda asked the Workgroup whether other agencies/individuals should be invited to assist with development of the SWCP. Suggestions from the Workgroup included local government agencies, county environmental planners, aggregate *industry (Denise noted - invited but not present)*, Port Authority, MD Farm Bureau (*invited but not present*), U.S. Army Corps of Engineers (*invited but not present*), State Tributary Team representative, fisheries representative (*not yet invited*), U.S. Fish & Wildlife Service (*invited, no representative designated*), Watermen, regional watershed groups and Legislators on specific committees (*minutes only*). MDE will follow up and invite representatives from these organizations.

Linda asked the Workgroup whether all agencies/representatives present were committed to participating in development of the SWCP. All Workgroup members present were in agreement. Linda asked the Workgroup to define its role in development of the SWCP and began a list of Plan topics and ideas for a Goals/Mission Statement.

Plan Topics:

- tributaries and smaller components
- tidal and nontidal wetlands
- waterways and floodplains

Goals and Mission

- 1) the plan should be statewide in its scope; implementation of sub-goals might take place on at the regional or local level
- 2) the plan should summarize information including current status and trends, identify threats, define terms, and establish a baseline
- 3) the plan should be active; it should include recommendations and future actions.

Other Issues of Concern

- 1) how to maximize conservation?
- 2) making regulations consistent across (federal, state, local) departments, agencies, programs, etc.
- 3) how to make the plan consistent with other agencies goals?; how do committee members acquire an understanding of these issues?
- 4) what is the status of the science of wetlands?
- 5) baseline should include acreage and function

Further suggestions from the Workgroup included:

- develop comprehensive protection of rivers, streams and groundwater
- set ground rules for the Workgroup; review agenda for following meeting at the close of each meeting; form subgroups to address specific issues in detail; the Workgroup should be productive.

Question by Millie Kriemelmeyer (MD Conservation Council) whether the Workgroup would be limited by legislative restrictions (look for the new Millenium Water Bill).

Suggestion that legislative representatives be provided with minutes from Workgroup meetings. (*Can do so only if they ask*)

Bob Kaufman (MD Builders Assoc.) distributed a summary of the MBA Mission Statement for involvement in the SWCP initiative. The Workgroup reviewed the summary and mentioned the following topics:

- Mitigation Banking – current economy supports mostly private efforts, need to create incentives for additional (statewide) wetland creation and restoration efforts
- Questions regarding current status of wetland mitigation work by George Beston (MDE) – requested that George be involved in mitigation recommendations/issues. MDE assured he would be involved.
- Clarification (Erin Fitzsimmons, MD Wetlands Restoration Steering Committee) that wetland mitigation is not considered wetland restoration but is counted toward the voluntary 60,000 acre goal.
- Tom Benassi (BGE) requested more information about: what can we do to create new wetlands? - Why and How? – incentives – availability of information for voluntary projects?
- Enhancement opportunities (value-added functions)
- Chris Houchens (Living Classrooms) and Tom Benassi (BGE) request more information about voluntary/educational/public efforts
- Important issue to stress conservation – primary threat is uncontrolled development
- Losses not only from development - where are losses coming from? *MDE will prepare a report of current and historic wetland losses for a future meeting.*
- Denise Clearwater (MDE) defined conservation (ie. wise use of resource, BMPs) versus preservation (no losses)
- Need summary of current trends, data and threats
- Threats are different by region; definitions of terms for the Workgroup (mitigation, conservation, preservation); *MDE will provide definitions*
- Issue of wetland function(s), not only total acreage of wetlands
- Assessment of wetland function(s) before and after development
- Mitigation projects need to address replacement of function(s) not only acreage
- Permitting process does not recognize different types of wetlands and their functions
- How are and how will wetland function(s) be assessed? Impacts of natural processes (ie. coastal areas)?
- Establish baseline criteria and data
- Prioritize map areas; identify current status of data and maps (*Denise (MDE) – DOQQ contain updated information*)
- Identify natural wetland threats; mitigation on agricultural lands
- Identify opportunities to restore/create wetlands; *Wetland Restoration Steering Committee will prepare findings.*
- Strive for consistency with other state, regional and local regulations and agency goals
- All agencies provide information about existing wetlands-related regulations, programs, laws, roles
- Information referenced above crucial to Workgroup and sub-group productivity
- Obtain information about the ‘Green Infrastructure Program’
- Suggestion that MDE Staff assist with compilation of information requests

Linda noted that the Workgroup unanimously supports acquisition of supporting DATA and INFORMATION to better define Workgroup goals and objectives.

Further suggestions included:

- Presentation or availability of information from Steering Committee
- Define wetland use and function(s)
- Tom Benassi (BGE) stated that local county requirements differ with respect to wetland buffer zones and zoning laws/regs
- Suggestion by Mike Fritz (EPA) that a designated (non-public) website be set up to assist with information management (ie. minutes, documents, presentation information, etc.). *(Denise (MDE) – will report on this topic at next meeting.)*
- Report on the status of scientific research of wetland types (sub-group assignment?)
- Report on the success of wetland re-creation versus creation in restoration and mitigation projects
- Denise (MDE) stressed the importance of recognizing and defining Function versus Value and the differences that exist under specific circumstances. What is most critical? The workgroup was asked to consider function and values for management purposes and plan recommendations; to consider which functions are most valued in a particular region (s), where desired functions might be lacking and how to increase or maintain desired functions.
- Question about how values are assessed – subjective process that's different for individuals and by region
- Statement by Kevin Kelly (ESA, Inc) that functional assessment leads to assessment of values
- Questions: How does quality relate to function? How do we assess cumulative effects of wetland alteration (especially mitigation projects) on regional/local hydrologic systems?
- Anne Lynn (NRCS) asked "What will be the final product from this Workgroup? Are we acting in a regulatory or advisory capacity?"

Linda assigned HOMEWORK for the Workgroup – each participating agency should identify a set of goals/issues (not to exceed 10 items) to help direct the Workgroup's efforts before deciding on plan topics. Linda provided the Workgroup with Denise Clearwater's (MDE) e-mail address for Workgroup to submit their homework by FEB. 18th which will be compiled for the next meeting (submit homework to: dclearwater@ mde.state.md.us).

Linda recognized that the Workgroup was unclear about what direction to move forward – maybe a series of recommendations for further discussion. Workgroup suggestions included:

- Anne Lynn (NRCS) – above all, more information is needed
- Bob Kaufman (MBA) – delineate the value of wetland functions (ranking system), the Quality versus Quantity issue
- Larry Liebesman (MBA) – Update on how the regulatory program is working; MDE and the Corps programmatic permit

Linda suggested delineation of Workgroup and sub-group topics and reviewed immediate goals of the Workgroup:

- 1) Information Management – baseline data
- 2) Recommendations – current threats, issues

Topics to be discussed for next meeting:

- 1) HOMEWORK - Key goals/issues identified by the Workgroup
- 2) Information / Data – local, national (other state SWCP plans)
- 3) Handouts from the meeting - MDE staff to prepare list of participants (address, e-mail, etc.), minutes, e-mail group list, website, copies of meeting presentations, briefing documents, etc.

- 4) Meetings will be monthly; **Next meeting on Tuesday, February 29th , location to be announced**

Denise (MDE) reviewed important topics for next meeting agenda:

- Compile SWCO information
- Information for future meetings from the Restoration Steering Committee and Green Infrastructure Program (maybe a presentation from DNR representative)
- Lynne Stemmy inquired about the current status of the State wetland mapping project
- Follow-up question by Lynne Stemmy: Has the Corps done a recent state wetland evaluation? (permit expires this year?)
- Organize workgroup and sub-group structure and develop topics
- Consolidation of Goals/Objectives from homework assignment

Meeting adjourned at 11:40 am.